

Exhibit 3

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Aaron Richard Golub, Esquire, P.C.  
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March 22, 2022

**VIA ECF**

The Honorable P. Kevin Castel  
United States Courthouse  
Courtroom 11D  
500 Pearl Street  
New York, New York 10007

Re: Brian Donnelly AKA KAWS et al v. Jonathan Anand et al,  
Civil Action No. 1:21-cv-09562 (PKC) (BCM)

Dear Judge Castel:

This office represents Plaintiffs in the above-captioned action. This letter is submitted in response to the outrageous letter e-filed this afternoon by counsel for Defendant Jonathan Anand (“Anand”) belatedly requesting an extension to file an Answer.

Defendant’s counsel has grossly misled this Court, claiming:

“...[T]he Plaintiff has failed to serve the Defendants, Anand & DBA and/or file any Affidavit of Service on the docket to date at the time of drafting and filing of this request letter” (Docket #62).

This is unequivocally false. On January 28, 2022 and February 1, 2022, Plaintiffs personally served Defendant Anand **both** at his residence and place of business. See Docket ##36 and 37. Plaintiffs subsequently filed Affidavits of Service on February 15, 2022. See id.

Defendant’s counsel’s falsehood is even more egregious as he made the very same misrepresentation to me today on a phone call at approximately 1:30 PM. I instantly referred Defendant’s counsel to the docket sheet in this action and assured him that Plaintiffs properly served Defendant Anand and filed the corresponding Affidavits of Service.

In requesting an extension, Defendant’s counsel further failed to inform the Court that **Defendant’s time to answer Plaintiffs’ Complaint has expired.** As stated above, Plaintiffs personally served Defendant Anand **both** at his residence and place of business on January 28, 2022 and February 1, 2022 and filed Affidavits of Service on February 15, 2022. See id. Pursuant to CPLR 308(2), service was deemed complete on February 25, 2022. Pursuant to FRCP 12(a)(1)(A)(i), Defendant Anand was required to submit his Answer on or before March 18, 2022. It is incontrovertible that Defendant Anand has defaulted in accordance with FRCP 55.

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Defendant's counsel has made no attempt whatsoever to demonstrate a reasonable excuse for Defendant's default, that Defendant's conduct was not willful or that Defendant has any meritorious defenses. In stark contrast, Defendant strove to hide the very fact of his default from this Court. With all due respect, this bad faith conduct should not be permitted.

Respectfully Submitted,



Russell I. Zwerin  
*Counsel for Plaintiffs*

cc: Law Offices of Sanjay Chaubey (via ECF)  
Heng Wang & Associates, P.C. (via ECF)  
Akin Law Group (via ECF)